

CLASSIFICATION OFFICE DECISION

Title of publication: home_banner_2009-1.jpg

Other known title(s): Not stated

OFLC ref: 1100091.026

Medium: Computer Image File Printout

Publisher: Not stated

Country of origin: Not stated

Language: English

Applicant: Commissioner of Police

Classification:	Unrestricted.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 31 March 2011

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file printout is unrestricted.

The printout cannot reasonably be regarded as sexual in nature. The image shows a group of naked adults and children posing for the camera. Text on the image gives the image a naturist context. The nudity shown is not sexualised. A viewer's predisposition to regard any image of nudity as having a sexual meaning may result in a sexual interpretation, but to others the image simply depicts a group of naturists promoting this lifestyle.

There are no sexual elements in the image and it raises no issues under s3(1), s3A or s3B of the Films, Videos, and Publications Classification Act 1993. The printout must, therefore, be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.